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Tajikistan

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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Please recycle

I. Background and framework

A. Scope of international obligations[1]

1. International human rights treaties[2]

	Status during previous cycle	*Action after review*	*Not ratified/not accepted*
Ratification, accession or succession	ICERD (1995)		ICCPR-OP 2
	ICESCR (1999)		OP-CAT
	ICCPR (1999)		CRPD
	CEDAW (1993)		ICPPED
	CAT (1995)		
	CRC (1993)		
	OP-CRC-AC (2002)		
	OP-CRC-SC (2002)		
	ICRMW (2002)		
Reservations and/or declarations	OP-CRC-AC (Declaration under art. 3(2), 18 years)		
Complaints procedures, inquiries and urgent action[3]	ICCPR-OP 1 (1999)	OP-CEDAW (2014)	ICERD, art. 14
	CAT, art. 20 (1995)		OP-ICESCR
			ICCPR, art. 41
			OP-CEDAW, arts. 8–9
			CAT, arts. 21–22
			OP-CRC-IC
			ICRMW, arts. 76–77
			OP-CRPD
			ICPPED

2. Other main relevant international instruments

	Status during previous cycle	*Action after review*	*Not ratified*
Ratification, accession or succession	Convention on the Prevention and Punishment of the Crime of Genocide		
	Rome Statute of the International Criminal Court		
	Palermo Protocol[4]		

Status during previous cycle	*Action after review*	*Not ratified*
1951 Convention relating to the Status of Refugees and its 1967 Protocol		Conventions on stateless persons[5]
Geneva Conventions of 12 August 1949 and Additional Protocols I and II[6]		Additional Protocol III to the 1949 Geneva Conventions[7]
ILO fundamental conventions[8]		ILO Conventions Nos. 169 and 189[9]
Convention against Discrimination in Education		

1. Tajikistan was invited to ratify CRPD,[10] OP-ICRPD,[11] ICPPED,[12] OP-ICESCR,[13] ICCPR-OP 2,[14] OP-CAT,[15] Conventions on statelessness,[16] and International Labour Organization (ILO) Conventions Nos. 156,[17] 183,[18] 118,[19] 181[20] and 189.[21]

2. Tajikistan was invited to consider making the declarations provided for in articles 76 and 77 of ICRMW[22] and under articles 21 and 22 of CAT.[23] It was invited to accelerate the acceptance of the amendment to article 20 (1) of CEDAW,[24] and ratify amendments to article 8 (6) of ICERD.[25]

B. Constitutional and legislative framework

3. N/A.

C. Institutional and human rights infrastructure and policy measures

Status of national human rights institutions[26]

National human rights institution	*Status during previous cycle*	*Status during present cycle*[27]
Human Rights Ombudsman	-	B (2012)

4. The Committee on Economic, Social and Cultural Rights recommended that the Human Rights Ombudsman be an independent institution with the necessary resources to fulfil its mandate in conformity with the Paris Principles.[28]

5. The Committee on the Elimination of Discrimination against Women recommended that the status of the national machinery for the advancement of women be elevated, and its mandate strengthened.[29]

6. The United Nations country team stated that Tajikistan should adopt a comprehensive national human rights action plan by involving civil society, and continue reinforcing the mandate of the Commission on Implementation of International Obligations in the Field of Human Rights.[30]

7. In 2015, the Secretary-General highlighted the importance of strengthening national coordination mechanisms and implementing United Nations human rights recommendations holistically.[31]

II. Cooperation with human rights mechanisms

8. In 2014, Tajikistan submitted its midterm report regarding the follow-up to the recommendations of its universal periodic review, which was held in 2011.[32]

9. The Special Rapporteur on the situation of human rights defenders was concerned by reports of reprisals against human rights defenders due to their cooperation with international human rights mechanisms.[33]

A. Cooperation with treaty bodies

1. Reporting status

Treaty body	*Concluding observations included in previous review*	*Latest report submitted since previous review*	*Latest concluding observations*	*Reporting status*
Committee on the Elimination of Racial Discrimination	August 2004	2016	August 2012	Combined ninth to eleventh reports pending consideration
Committee on Economic, Social and Cultural Rights	November 2006	2011	March 2015	Fourth report due in 2020
Human Rights Committee	July 2005	2011	July 2013	Third report due in 2017
Committee on the Elimination of Discrimination against Women	February 2007	2011	October 2013	Sixth report due in 2017
Committee against Torture	November 2006	-	November 2012	Third report foreseen in 2016
Committee on the Rights of the Child	January 2010	-	-	Combined third to fifth reports overdue since 2015, initial OP-CRC-SC and OP-CRC-AC reports overdue since 2004
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	-	-	April 2012	Second report due in 2017

2. Responses to specific follow-up requests by treaty bodies

Concluding observations

Treaty body	*Due in*	*Subject matter*	*Submitted in*
Committee on the Elimination of Racial Discrimination	2013	Situation of the Roma and of refugees, asylum seekers and stateless persons, including access to citizenship[34]	-
Human Rights Committee	2014	Procedural safeguards of detention, independence of judges and lawyers, registration of public associations[35]	2015;[36] further information requested[37]
Committee on the Elimination of Discrimination against Women	2015	Violence against women, disadvantaged groups of women[38]	2015;[39] follow-up dialogue ongoing
Committee against Torture	2013	Effective investigations; legal safeguards for persons detained; prosecuting and sanctioning perpetrators of torture[40]	2014;[41] follow-up dialogue ongoing
	2007	Detention; review of detention places; impunity; statements/confessions made as a result of torture[42]	-

Views

Treaty body	*Number of views*	*Status*
Human Rights Committee	1[43] (second universal periodic review cycle)	Follow-up dialogue ongoing[45]
	21[44] (first universal periodic review cycle)	Follow-up dialogue suspended for 18 cases in October 2011 based on a finding of a non-satisfactory implementation of recommendations;[46] closed for one case;[47] ongoing for two cases[48]

10. The Human Rights Committee was concerned about the failure of Tajikistan to implement its views under ICCPR-OP1.[49]

B. Cooperation with special procedures[50]

	Status during previous cycle	*Current status*
Standing invitation	No	No
Visits undertaken	Independence of judges and lawyers	Torture
	Freedom of religion or belief	Health
	Violence against women	Safe drinking water and sanitation
Visits agreed to in principle	Adequate housing	Adequate housing

	Disappearances
	Freedom of opinion and expression
Visits requested	-
	-
Responses to letters of allegation and urgent appeals	During the period under review, 14 communications were sent. The Government replied to 11 communications.
Follow-up reports and missions	Torture (mission 2014)[51]

11. The Assistant Secretary-General for Human Rights encouraged Tajikistan to issue a standing invitation to the special procedures, giving priority consideration to the Special Rapporteur on the rights to freedom of peaceful assembly and of association, and to the Special Rapporteur on the situation of human rights defenders.[52]

12. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment expressed concern about allegations of reprisals that took place after his visit in 2012 against people who spoke with him or complained about mistreatment.[53]

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

13. The United Nations High Commissioner for Human Rights visited Tajikistan in 2012,[54] and the Assistant Secretary-General for Human Rights visited Tajikistan in 2013.[55]

14. OHCHR, through its Regional Office for Central Asia based in Bishkek, provided technical assistance to the Government.[56]

III. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Equality and non-discrimination

15. The Committee on Economic, Social and Cultural Rights urged Tajikistan to expedite the adoption of a comprehensive anti-discrimination law, providing a definition of direct and indirect discrimination, and including all the grounds for discrimination set out in the Convention.[57]

16. The Committee on the Elimination of Discrimination against Women remained concerned about the persistence of adverse cultural norms and traditions, patriarchal attitudes and deep-rooted stereotypes regarding the roles and responsibilities of women and men in the family and in society. The Committee was also concerned that Tajikistan did not take sufficient actions to eliminate such stereotypes.[58]

17. The Committee on the Elimination of Discrimination against Women remained concerned about structural inequalities, occupational segregation, the gender pay gap, and the concentration of women in the informal sector and in low-paid jobs.[59] The Committee was concerned about gender segregation in education, particularly in vocational education.[60] It noted some restrictions on women's freedom of expression and religion, such as the fatwa of the Council of Ulemma against women's attendance at, and praying in,

mosques.[61] The Committee on Economic, Social and Cultural Rights noted the lack of temporary measures to address gender discrimination in employment and in other areas.[62]

18. Noting that the Labour Code provided a definition of racial discrimination, the Committee on the Elimination of Racial Discrimination reiterated its concern about the absence in the legislation of similar provisions covering other social areas. Provisions on racial discrimination were not in full compliance with ICERD, including the absence of criminalization for incitement to racial discrimination and acts of racially motivated violence.[63]

19. The Special Rapporteur on health was concerned about the stigmatization and discrimination associated with people living with tuberculosis and HIV/tuberculosis co-infection.[64] Likewise, the stigmatization of and discrimination against people living with mental illness were a concern.[65]

20. In respect of universal periodic review recommendation No. 88.50[66] concerning birth registration, the Office of the United Nations High Commissioner for Refugees (UNHCR) stated that parents could face difficulty in registering the birth of their child if either parent lacked identity documents. It recommended that Tajikistan issue birth certificates to all children regardless of their parents' possession of identity documents.[67]

B. Right to life, liberty and security of person

21. While welcoming the moratorium on the death penalty, the Human Rights Committee regretted the slow progress in abolishing the death penalty.[68]

22. The Human Rights Committee was concerned about the allegations of civilian deaths and injuries during the security operation in the City of Khorog in July 2012 and that investigations into those cases had not yet been finalized.[69]

23. The Special Rapporteur on torture observed that torture and ill-treatment continued to be a problem, taking place particularly during the first hours of detention and interrogation, and were usually associated with the purposes of extracting self-incriminating evidence to be used in criminal proceedings.[70]

24. While welcoming the incorporation of article 143-1 into the Criminal Code to bring the definition of torture in line with the Convention, the Committee against Torture expressed concern that the sanctions envisaged of five years imprisonment or less for first-time offenders of torture were not commensurate with the gravity of the crime.[71]

25. The Committee against Torture was concerned that hazing and ill-treatment of conscripts by officers and soldiers in the military continued to prevail. It recommended that Tajikistan reinforce measures to prohibit and eliminate such cases.[72]

26. The Committee on the Elimination of Discrimination against Women remained concerned about the persistence of violence against women, including domestic violence, which often remained underreported.[73] The Committee on Economic, Social and Cultural Rights was concerned that domestic violence was not criminalized.[74]

27. The United Nations country team stated that the 2013 law on domestic violence and its associated Programme for 2014–2023 set firm grounds towards combating domestic violence, but lacked a solid mechanism for its implementation.[75] The Committee on the Elimination of Discrimination against Women was concerned about the lack of shelters for victims of violence.[76] The Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health stated that doctors and health-care workers were not trained to screen and document instances of domestic violence.[77]

28. The Committee against Torture was concerned about the lack of legislation prohibiting corporal punishment of children, despite allegations of its widespread use.[78] The Human Rights Committee recommended putting an end to corporal punishment in all settings and encouraging non-violent forms of discipline as alternatives to corporal punishment.[79]

29. The Committee on the Elimination of Discrimination against Women remained concerned that child labour persisted.[80] The ILO Committee of Experts on the Application of Conventions and Recommendations noted that the compulsory mobilization of children for work in the harvest, taking place often under hazardous conditions, continued. Street children were at a risk of becoming involved in the worst forms of child labour.[81] The ILO Committee of Experts urged Tajikistan to eradicate the forced labour of, or hazardous work by, children under 18 years of age, and combat and eliminate the worst forms of child labour.[82]

30. The Committee on the Elimination of Discrimination against Women was concerned that Tajikistan was a country of origin and transit for trafficked women and girls.[83] The country team noted that Tajikistan had also been, to a lesser extent, a destination for human trafficking. Procedures and budgetary allocations for identification of victims of trafficking and for the provision of adequate services to them remained largely unavailable. The country team recalled that Tajikistan supported several recommendations of the universal periodic review to combat human trafficking.[84]

C. Administration of justice, including impunity, and the rule of law

31. The Committee against Torture was concerned that the judiciary remained weak, inefficient, and influenced by the Council of Justice, which was reportedly subordinate to the President and the executive branch.[85] The Committee on Economic, Social and Cultural Rights was concerned that the independence and impartiality of the judiciary lacked effective guarantees.[86] The country team observed that the universal periodic review recommendations to strengthen the effectiveness and independence of the judiciary remained to be implemented.[87]

32. The Human Rights Committee reiterated its previous concern that military courts enjoyed jurisdiction to examine criminal cases in which military personnel and civilians were jointly accused. It was recommended that Tajikistan prohibit military courts from exercising jurisdiction over civilians.[88]

33. Noting Tajikistan's acceptance of the universal periodic review recommendations on access of detainees to lawyers,[89] the Special Rapporteur on torture remained concerned about the lack of adequate access to independent legal counsel. Lawyers faced numerous obstacles when trying to meet with their clients. The Special Rapporteur noted concerns expressed that some lawyers were subjected to threats or reprisals for their work.[90]

34. In 2015, the Special Rapporteur on the independence of judges and lawyers sent a communication noting that a new law on Advocacy and the Bar had established a body under the Ministry of Justice responsible for regulating entry into the legal profession, disbarment, and issuing licenses to practice law, which thus left lawyers vulnerable to interference from the executive branch. The Government replied to this communication.[91]

35. The Human Rights Committee recommended ensuring that the procedures and criteria for access to and conditions of membership of the Bar did not compromise the independence of lawyers.[92]

36. The Committee on Economic, Social and Cultural Rights was concerned about limited access to free legal aid.[93] The Human Rights Committee recommended creating a State-subsidized legal aid system.[94]

37. The Special Rapporteur on torture remained concerned about shortcomings in the implementation of effective procedural safeguards during the first hours of arrest and detention.[95] He recommended ensuring that the time of arrest started from de facto apprehension and delivery to a police station, and that arrest be scrupulously recorded.[96] The Committee against Torture recommended ensuring that suspects be informed of their rights and the reasons for their detention, and be guaranteed the right of access to lawyers of their choice from the moment of apprehension; that anyone arriving at a detention facility undergo a routine medical examination; and that access to independent doctors be provided when requested by the detainee.[97]

38. Furthermore, the Human Rights Committee recommended ensuring that persons in police custody be brought before a judge within a maximum period of 48 hours, and that the decision of the judge be based on individual circumstances and not solely on the grounds of the gravity of the crime.[98]

39. The Human Rights Committee was concerned about the number of violent deaths of persons deprived of liberty and the lack of effective investigations thereof, and that compensation to relatives was rarely provided. It was concerned about the unsatisfactory action taken to resolve the problem of tuberculosis as a common cause of deaths of persons in custody.[99]

40. The Human Rights Committee was concerned about poor conditions in prison facilities.[100] The Committee against Torture was concerned about reports of the lack of hot water supply, inadequate sanitary conditions, poor ventilation, and inadequate food and health care in prisons and pretrial detention facilities.[101]

41. The Committee against Torture was concerned about strict regimes for inmates serving life imprisonment. The Committee recommended that Tajikistan eliminate the complete isolation of prisoners serving life imprisonment, improve their living conditions, and repeal legislation limiting their contacts with lawyers and family members.[102]

42. The Committee against Torture was concerned about the lack of systematic and independent review of detention places. It recommended that Tajikistan grant unimpeded access to the International Committee of the Red Cross and independent non-governmental organizations (NGOs) to detention places, and establish an effective national preventive mechanism, which is resourced and permitted to conduct regular, unannounced and unrestricted visits of inspection to all places of deprivation of liberty.[103]

43. The Committee against Torture was concerned that allegations of torture and ill-treatment were not promptly, impartially or effectively investigated and prosecuted, thus creating a climate of impunity.[104] It was concerned that victims of, and witnesses to, torture and ill-treatment reportedly did not file complaints with the authorities for fear of reprisals, and about reports of harassment and intimidation of journalists and human rights defenders who reported on torture.[105]

44. The Human Rights Committee recommended investigating effectively allegations of torture or ill-treatment, launching ex officio investigations and mandating judges in pretrial detention hearings to examine such allegations and refer for investigation, guaranteeing the exclusion by the judiciary of evidence obtained under torture as provided by law and bringing alleged perpetrators to justice and, if they are convicted, punishing them with commensurate sentences and compensating victims.[106]

45. The Special Rapporteur on torture noted that, despite the commitment made by Tajikistan during the universal periodic review to establish an independent complaints

mechanism to respond to allegations of torture, Tajikistan had yet to establish such a mechanism.[107]

46. The Committee against Torture was concerned that the law on amnesty granted a rather wide discretion to commute, reduce or suspend sentences of persons convicted of torture.[108] The Special Rapporteur on torture recommended amending the legislation to reflect the unavailability of amnesties for the crime of torture.[109]

47. The Special Rapporteur on torture remained concerned by reports that victims of torture and ill-treatment and their families did not receive adequate reparations.[110] The Committee against Torture was concerned that there was no explicit legal provision providing for the right of victims of torture to adequate compensation.[111]

48. The country team and the Committee against Torture noted the adoption of a national action plan on the reform of the juvenile justice system for 2010-2015.[112] The Special Rapporteur on torture was concerned that the criminal justice system lacked juvenile courts. Children younger than 14 years of age continued to be subjected to arrest and detention, and youths aged 16 and over were kept in closed institutions for minor offenses.[113] The Special Rapporteur remained concerned that juveniles in conflict with the law were reportedly mistreated during arrest and in detention,[114] and noted that there was reportedly no strict separation between adults and juveniles in pretrial detention facilities or police cells outside Dushanbe.[115]

49. The Committee on Economic, Social and Cultural Rights remained concerned that corruption in the public sector was pervasive and systematic. It was also concerned about the ineffectiveness of preventive measures and the limited scope of prosecuted cases of corruption.[116] The Human Rights Committee was concerned about reports that corruption was widespread in the judiciary.[117] The Special Rapporteur on torture was concerned about reports of corruption at high levels of prison authorities.[118]

D. Right to marriage and family life

50. The Committee on the Elimination of Discrimination against Women was concerned about the high incidence of child marriages and de facto polygamous marriages.[119] The country team stated that marriages were contracted following the religious ceremony *nikoh*, allowing a marriage regardless of the spouses' age.[120] The Committee remained concerned about the large number of marriages that were based only on a religious ceremony.[121]

51. The Committee on Economic, Social and Cultural Rights was concerned that there was a lack of family- or community-based care for children with disabilities and children without parental care, which resulted in their being placed in institutional care.[122]

E. Freedom of religion or belief, expression, association and peaceful assembly, and the right to participate in public and political life

52. The Human Rights Committee was concerned about restrictions on freedom of religion and about the ban of several religious denominations, including Jehovah's Witnesses and certain Muslim and Christian groups.[123] It was concerned that children might receive religious education only from State-licensed institutions and that all religious education abroad was subject to State permission.[124]

53. The Human Rights Committee recommended repealing or amending provisions of the legislation that imposed disproportionate restrictions on the rights protected by article 18 of ICCPR and reversing its discriminatory refusal to register certain religious denominations.[125]

54. The Human Rights Committee reiterated its concern about the lack of recognition of the right to conscientious objection to compulsory military service, and at the absence of alternatives to military service.[126]

55. The country team reported that freedom of expression continued to be restricted and that media outlets came under governmental scrutiny.[127] The Human Rights Committee expressed concern that the 2013 law on media subjected media organizations to undue registration conditions, that journalists were subject to threats and assaults, and that there was a practice of blocking Internet websites and social networks.[128] The country team reported that, according to the 2015 governmental regulation, news outlets were not allowed to report official news without citing a State-run news agency.[129]

56. The Human Rights Committee recommended ensuring that journalists and other individuals be able to freely exercise the right to freedom of expression and have access to Internet websites and social networks without undue restrictions.[130]

57. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that defamation remained a criminal offense.[131] The Human Rights Committee recommended that Tajikistan review its legislation on libel and insult, and ensure that State officials not use the law on defamation for the purpose of harassing or intimidating journalists.[132]

58. In 2013, the Human Rights Committee expressed concern that the law on public associations imposed undue restrictions on the registration of public associations and endowed the Ministry of Justice with excessive oversight power, resulting in major practical obstacles in the registration and operation of such groups.[133] The Committee on Economic, Social and Cultural Rights was concerned that the 2015 amendments to the law, providing for further inspection procedures for public associations and new restrictions and authorization mechanisms for associations receiving foreign funding, might have an adverse impact on the activities of civil society organizations.[134] Several special procedures mandate holders sent a communication concerning the curtailing effect of the 2015 amendments. The Government replied to this communication.[135]

59. The country team reported that inspections of human rights NGOs took place and court suits were brought for insignificant irregularities.[136] The Human Rights Committee was further concerned about reports of the arbitrary shutting down of various human rights NGOs.[137]

60. The Human Rights Committee recommended that Tajikistan bring its law on public associations into line with the ICCPR, reinstate NGOs which were unlawfully shut down, and refrain from imposing disproportionate or discriminatory restrictions on the freedom of association.[138]

61. The country team stated that the 2014 law on assemblies required the organizers of assemblies to obtain permission in advance and contained broadly worded provisions on the grounds of prohibiting assemblies and the venues in which their conduct was limited. The law did not provide for spontaneous assemblies.[139]

62. The Human Rights Committee was concerned about reports of politically motivated harassment of opposition political leaders with a view to deterring their participation in future elections.[140] The country team stated that a crackdown on the Islamic Revival Party of Tajikistan intensified during the reporting period and that the 2015 elections left the party with no seats in the Parliament. In September 2015, 13 members of the party, including from the leadership, were arbitrarily detained. This wave of arrests came days after a Government campaign and crackdown on the party, which led to the suspension of the party on spurious grounds.[141]

63. While noting that minority groups were entitled to take part in political life without legal obstacles, the Human Rights Committee was concerned that in reality their participation in decision-making bodies, particularly in the houses of Parliament, was rather limited.[142] The Committee on the Elimination of Racial Discrimination encouraged Tajikistan to increase the participation of persons belonging to ethnic minorities in public and political life. It recommended improving representation of these persons within the Parliament and other public institutions, including through the adoption of special measures.[143]

64. The Committee on the Elimination of Discrimination against Women recommended ensuring that women enjoy equal opportunities to participate in political and public life and the use of temporary special measures, such as statutory quotas and incentives, for political parties to nominate women as candidates.[144]

F. Right to work and to just and favourable conditions of work

65. The Committee on Economic, Social and Cultural Rights recommended reinforcing efforts to reduce unemployment, in particular among women, young people and persons with disabilities.[145]

66. The ILO Committee of Experts noted that postnatal leave was not compulsory and requested Tajikistan to complement the Labour Code, imposing a minimum of six weeks of compulsory postnatal leave.[146]

G. Right to social security and to an adequate standard of living

67. The Special Rapporteur on health noted a decrease in relative poverty and extreme poverty.[147] The Secretary-General made a similar observation.[148]

68. The Committee on Economic, Social and Cultural Rights was concerned that the minimum wage, pensions and benefits were too low to ensure an adequate standard of living.[149]

69. The Committee on Economic, Social and Cultural Rights was concerned about the lack of regular access of large parts of the population to safe drinking water and adequate sanitation, and about the irregular and insufficient supply of electricity.[150] The Special Rapporteur on the human right to safe drinking water and sanitation stated that Tajikistan must invest in sanitation and water services to guarantee affordable services for the poor and marginalized, and highlighted a necessity for eliminating disparities and addressing the needs of the most vulnerable groups in this area.[151]

70. The Committee on Economic, Social and Cultural Rights recommended addressing chronic food insecurity and malnutrition and, particularly, the critical nutritional needs of children and pregnant women.[152]

71. The country team noted the absence of specific laws and regulations concerning social housing or affordable housing. Forced evictions were a growing issue and judicial remedies were lengthy, cumbersome and expensive.[153] The Committee on Economic, Social and Cultural Rights recommended promoting affordable rental housing, making better provision for social housing, ensuring that evictions be carried out in compliance with international human rights norms, and establishing effective procedures for those forcibly evicted.[154]

H. Right to health

72. The Special Rapporteur on health encouraged Tajikistan to continue health sector reforms to ensure universal access to high-quality health facilities, goods and services for all.[155] The Special Rapporteur recommended, inter alia, that national budget allocations for health be increased, excess capacity at the secondary and tertiary care levels be reduced, and investment in training of general practitioners and family doctors be increased.[156]

73. The country team stated that, despite a sharp reduction in mortality rates for infants and children under 5 years of age, there were significant disparities by wealth and geographic area, and that the rates remained high. Neonatal mortality had shown no decline.[157] The Committee on Economic, Social and Cultural Rights recommended that the high rates of infant and maternal mortality be reduced, including by improving the quality, availability and accessibility of primary health-care services.[158]

74. The Committee on the Elimination of Discrimination against Women called upon Tajikistan, inter alia, to develop its reproductive health infrastructure and increase the number of skilled personnel.[159] The Committee on Economic, Social and Cultural Rights recommended that sexual and reproductive health education be strengthened.[160]

75. The country team noted progress in the implementation of the national programme on AIDS for 2011–2015. However, the share of new HIV infections amongst women and children was rising. Although vulnerable populations had access to free HIV testing and antiretroviral treatment, they did not approach State-run health facilities due to a fear of stigma and discrimination.[161] The Committee on the Elimination of Discrimination against Women called upon Tajikistan to strengthen the provision of free antiretroviral treatment to all persons living with HIV/AIDS, including pregnant women, to prevent mother-to-child transmission.[162]

76. The Special Rapporteur on health highlighted several factors that contributed to the high prevalence of tuberculosis.[163] The Special Rapporteur recommended that Tajikistan, inter alia, increase funding for tuberculosis prevention, treatment and control; integrate testing and treatment services for tuberculosis fully into the primary health-care sector; and ensure that testing and treatment for tuberculosis be available free of charge.[164]

77. The Special Rapporteur on health recommended, inter alia, adopting a comprehensive mental health policy and plan of action based on the right to health; increasing budget allocations for mental health; implementing mechanisms to investigate reports of abuse of people living with mental illness in mental health facilities; and ensuring that perpetrators of such abuses be held accountable.[165]

78. The Committee on Economic, Social and Cultural Rights urged Tajikistan to combat the inflow and transit of narcotic drugs, and to prevent drug abuse and provide adequate treatment and rehabilitation for drug users.[166]

I. Right to education

79. The Committee on Economic, Social and Cultural Rights was concerned about poor quality of education, a lack of qualified teachers and of teaching materials, low salaries of teachers, and poor conditions of infrastructure and facilities.[167]

80. The Committee on Economic, Social and Cultural Rights was concerned about the high dropout rates among girls and children from families in disadvantageous situations, and about the gender disparity in enrolment and retention rates across all levels of education.[168]

J. Persons with disabilities

81. The Committee on Economic, Social and Cultural Rights was concerned that the legislation did not provide a clear definition of persons with disabilities and that the classification of disability, based on the degree of lost ability to work, led to exclusion from employment of persons with disabilities.[169]

82. The Committee recommended, inter alia, that the enjoyment of economic, social and cultural rights by persons with disabilities be improved.[170]

83. The country team stated that the Government should tackle discrimination in employment against persons with disabilities by enforcing existing quotas and sanctioning employers who do not comply with the quotas.[171]

84. The Committee on Economic, Social and Cultural Rights recommended promoting inclusive education for children with disabilities.[172]

K. Minorities

85. The Committee on Economic, Social and Cultural Rights was concerned about the decreasing number of classes provided in the languages of ethnic minorities and of students attending schools where the teaching was given in the languages of ethnic minorities, owing to the insufficient number of teachers, the lack of retraining programmes for teachers, and a shortage of textbooks in minority languages.[173]

86. The Committee on the Elimination of Racial Discrimination encouraged Tajikistan to strengthen its efforts to provide education in or of minority languages.[174] The country team stated that the Government should, inter alia, increase the budget funding for education of national minorities and conduct regular monitoring of the quality of education.[175]

L. Migrants, refugees and asylum seekers

87. The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families acknowledged the adoption of a national strategy on labour migration of Tajik citizens for 2011-2015 and the establishment of the Migration Service.[176] It recommended that necessary resources to the Migration Service be provided, and that a procedure for complaints of the Service be established.[177] The Committee on Economic, Social and Cultural Rights recommended that Tajikistan, inter alia, protect its migrant workers and provide counselling and legal advice to potential migrant workers on migration regulations and employment conditions in countries of employment.[178] The Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families recommended monitoring and investigating private recruitment agencies which were involved in cases where Tajik migrant workers were subjected to forced labour or servitude in countries of employment.[179]

88. UNHCR noted that certain gaps remained in the law on refugees, including access to the asylum procedure being dependent on various preliminary requirements and an absence of complementary forms of protection.[180]

89. UNHCR recommended ensuring that asylum seekers being detained as a result of "illegal border crossing" be able to exercise their right to seek asylum by contacting the refugee authorities and UNHCR; giving UNHCR access to detained asylum seekers; developing Referral Mechanism Standard Operating Procedures at the border with clear modalities on reception and further referral of asylum seekers to the refugee authorities; and

respecting the principles of non-refoulement and of non-penalization for asylum seekers arriving irregularly.[181]

90. The Human Rights Committee was concerned about reports of unlawful expulsion and extradition.[182] It recommended that Tajikistan strictly apply the absolute principle of non-refoulement and ensure that decisions on expulsion, return or extradition accord with the due process of the law.[183] The Special Rapporteur on torture recommended ensuring that the obligation not to extradite or deport or expel a person to a country where he or she faces a risk of torture or ill-treatment is duly recognized and that appropriate legal recourse, including access to legal counsel, is guaranteed.[184]

91. The Human Rights Committee remained concerned about reports concerning the abduction and illegal return of Tajik citizens from neighbouring countries to Tajikistan, apparently followed by incommunicado detention and other ill-treatment. The Committee recommended that Tajikistan investigate all such allegations and avoid any involvement in such renditions.[185]

92. The Committee on the Elimination of Racial Discrimination remained concerned about challenges faced by refugees and asylum seekers in terms of employment, access to public services, education and citizenship.[186] UNHCR stated that refugees and asylum seekers were legally precluded from residing in the main urban centres, which had negative implications on their ability to access employment, health care, education and other services.[187] The Human Rights Committee was concerned that frequent raids on refugees and asylum seekers staying in urban areas in contravention of Presidential Resolutions Nos. 325 and 328 led to the rejection of asylum claims, refusal to issue or extend documents or even expulsion and deportation.[188] The Committee on the Elimination of Racial Discrimination recommended lifting the regulation forbidding refugees to live in specific areas, in particular in Dushanbe and Khujand.[189]

93. The Committee on the Elimination of Racial Discrimination remained concerned about the number of long-term stateless persons.[190] UNHCR noted that the 2015 law on nationality brought the definition of stateless persons into closer compliance with the 1954 Convention relating to the Status of Stateless Persons, and included several provisions to prevent statelessness and facilitate naturalization of certain categories of stateless persons under a simplified procedure.[191] It noted the lack of access to essential services due to lack of identity documents and the risk of being penalized for irregular stay in the country. No national mechanism to confirm stateless status was established.[192]

M. Right to development, and environmental issues

94. The Committee on Economic, Social and Cultural Rights recommended that Tajikistan enhance the transparency of the receipt, management and spending of official development funds that it received.[193]

Notes

[1] Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Tajikistan from the previous cycle (A/HRC/WG.6/12/TJK/2).

[2] The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[3] Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

[4] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

[5] 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

[6] Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[7] Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see International Committee of the Red Cross, www.icrc.org/ihl.

[8] International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Abolition of Forced Labour Convention, 1957 (No. 105); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).

[9] ILO, Indigenous and Tribal Peoples Convention, 1989 (No. 169); and Domestic Workers Convention, 2011 (No. 189).

[10] See E/C.12/TJK/CO/2-3, para. 14; CEDAW/C/TJK/CO/4-5, para. 39; CAT/C/TJK/CO/2, para. 23; and country team submission to the review of Tajikistan, para. 11.

[11] See CAT/C/TJK/CO/2, para. 23.

[12] See ibid.

[13] See E/C.12/TJK/CO/2-3, para. 38; and CAT/C/TJK/CO/2, para. 23.

[14] See CCPR/C/TJK/CO/2, para. 8; CAT/C/TJK/CO/2, para. 23; and Statement by Assistant Secretary-General for Human Rights on his visit to Tajikistan, at http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.

[15] See A/HRC/28/68/Add.2, para. 55; A/HRC/22/53/Add.1, para. 100 (h); CAT/C/TJK/CO/2, para. 14; country team submission to the review of Tajikistan, para. 24; and Statement by Assistant Secretary-General for Human Rights on his visit to Tajikistan, at http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.

[16] See CEDAW/C/TJK/CO/4-5, para. 32 (e); UNHCR submission to the review of Tajikistan, p.7. See also country team submission to the review of Tajikistan, para. 53; and CERD/C/TJK/CO/6-8, para. 14 (d).

[17] See CEDAW/C/TJK/CO/4-5, para. 26.

[18] See ibid.

[19] See CMW/C/TJK/CO/1, para. 34.

[20] See ibid., para. 16. See also country team submission to the review of Tajikistan, para. 55.

[21] See CMW/C/TJK/CO/1, para. 16.

[22] See ibid., para. 13.

[23] See CAT/C/TJK/CO/2, para. 24.

[24] See CEDAW/C/TJK/CO/4-5, para. 35.

[25] See CERD/C/TJK/CO/6-8, para. 21.

[26] According to article 5 of the rules of procedure of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).

[27] The list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights is available from http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf.

[28] See E/C.12/TJK/CO/2-3, para. 9. See also CERD/C/TJK/CO/6-8, para. 17; and CCPR/C/TJK/CO/2, para. 5.

[29] See CEDAW/C/TJK/CO/4-5, paras. 11 and 12.

[30] See country team submission to the review of Tajikistan, paras. 5-6.

[31] Secretary-General's remarks to the press after meeting the President of Tajikistan, available from http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=2641#.Vr29q032ZMx.

[32] Available from http://lib.ohchr.org/HRBodies/UPR/Documents/session12/TJ/Tajikistan_Implementationrecommendations.pdf.

[33] See A/HRC/28/63/Add.1, para. 445.

[34] See CERD/C/TJK/CO/6-8, para. 24.

[35] See CCPR/C/TJK/CO/2, para. 27.

[36] CCPR/C/TJK/CO/2/Add.1.

[37] Letter from the Human Rights Committee to the Permanent Representative of Tajikistan, dated 10 December 2015, available from

http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/TJK/INT_CCPR_FUL_TJK_22489_E.pdf (accessed on 9 February 2016).

[38] See CEDAW/C/TJK/CO/4-5, para. 40.

[39] CEDAW/C/TJK/CO/4-5/Add.1.

[40] See CAT/C/TJK/CO/2, para. 26.

[41] CAT/C/TJK/CO/2/Add.1.

[42] See CAT/C/TJK/CO/1, para. 25.

[43] CCPR/C/101/D/1499/2006.

[44] CCPR/C/81/D/964/2001, CCPR/C/83/D/973/2001, CCPR/C/85/D/985/2001, CCPR/C/85/D/1042/2001, CCPR/C/86/D/1044/2002, CCPR/C/79/D/1096/2002, CCPR/C/89/D/1108/2002, CCPR/C/89/D/1121/2002, CCPR/C/81/D/1117/2002, CCPR/C/95/D/1195/2003, CCPR/C/95/D/1200/2003, CCPR/C/86/D/1208/2003, CCPR/C/92/D/1209/2003, CCPR/C/92/D/1231/2003, CCPR/C/92/D/1241/2004, CCPR/C/94/D/1263/2004, CCPR/C/94/D/1264/2004, CCPR/C/95/D/1276/2004, CCPR/C/89/D/1348/2005, CCPR/C/97/D/1401/2005, CCPR/C/97/D/1519/2006.

[45] CCPR/C/101/D/1499/2006.

[46] CCPR/C/81/D/964/2001, CCPR/C/83/D/973/2001, CCPR/C/85/D/985/2001, CCPR/C/85/D/1042/2001, CCPR/C/79/D/1096/2002, CCPR/C/89/D/1108/2002, CCPR/C/81/D/1117/2002, CCPR/C/95/D/1200/2003, CCPR/C/86/D/1208/2003, CCPR/C/92/D/1209/2003, CCPR/C/92/D/1231/2003, CCPR/C/92/D/1241/2004, CCPR/C/94/D/1263/2004, CCPR/C/94/D/1264/2004, CCPR/C/95/D/1276/2004, CCPR/C/89/D/1348/2005, CCPR/C/97/D/1401/2005, CCPR/C/97/D/1519/2006. A/67/40 (Vol. II), pp. 472-476.

[47] CCPR/C/89/D/1121/2002. See A/67/40 (Vol. II), pp. 472-476.

[48] CCPR/C/86/D/1044/2002, CCPR/C/95/D/1195/2003. See A/67/40 (Vol. II), pp. 472-476.

[49] See CCPR/C/TJK/CO/2, para. 4. See also country team submission to the review of Tajikistan, para. 6.

[50] For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.

[51] A/HRC/28/68/Add.2.

[52] Statement by Assistant Secretary-General for Human Rights Ivan Šimonović on his visit to Kyrgyzstan and Tajikistan, 19-22 May 2013, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.

[53] See A/HRC/28/68/Add.2, para. 37. See also country team submission to the review of Tajikistan, para. 22 and CAT/C/TJK/CO/2, para. 15.

[54] See http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12326&LangID=E and http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=12338&LangID=E.

[55] Statement by Assistant Secretary-General for Human Rights Ivan Šimonović on his visit to Kyrgyzstan and Tajikistan, 19-22 May 2013, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.

[56] See www.ohchr.org/en/countries/enacaregion/pages/centralasiasummary.aspx; OHCHR Report 2013, p. 21; OHCHR Report 2012, p. 149; and OHCHR Report 2011, pp. 53, 68, 98 and 103.

[57] See E/C.12/TJK/CO/2-3, para. 13. See also country team submission to the review of Tajikistan, para. 7.

[58] See CEDAW/C/TJK/CO/4-5, para. 15. See also CCPR/C/TJK/CO/2, para. 6; E/C.12/TJK/CO/2-3, para. 16; and country team submission to the review of Tajikistan, para. 13.

[59] See CEDAW/C/TJK/CO/4-5, para. 25. See also ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Equal Remuneration Convention, 1951 (No. 100) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3186689:NO.

[60] See CEDAW/C/TJK/CO/4-5, para. 23. See also E/C.12/TJK/CO/2-3, para. 16.

[61] See CEDAW/C/TJK/CO/4-5, para. 15. See also country team submission to the review of Tajikistan, para. 45.

[62] See E/C.12/TJK/CO/2-3, para. 16.

[63] See CERD/C/TJK/CO/6-8, paras. 9-10.

[64] See A/HRC/23/41/Add.2, para. 32. See also country team submission to the review of Tajikistan, para. 18.
[65] See A/HRC/23/41/Add.2, para. 43.
[66] For the full text of the recommendation, see A/HRC/19/3, para. 88.50.
[67] UNHCR submission to the review of Tajikistan, pp. 5-6.
[68] See CCPR/C/TJK/CO/2, para. 8.
[69] See CCPR/C/TJK/CO/2, para. 10. See also country team submission to the review of Tajikistan, para. 22.
[70] See A/HRC/28/68/Add.2, para. 27; CAT/C/TJK/CO/2, para. 9; and country team submission to the review of Tajikistan, para. 22.
[71] See CAT/C/TJK/CO/2, paras. 6-7. See also A/HRC/28/68/Add.2, paras. 9 and 54; A/HRC/22/53/Add.1, para. 99 (a); and country team submission to the review of Tajikistan, para. 24.
[72] See CAT/C/TJK/CO/2, para. 12.
[73] See CEDAW/C/TJK/CO/4-5, para. 17. See also CCPR/C/TJK/CO/2, para. 7; E/C.12/TJK/CO/2-3, para. 25; country team submission to the review of Tajikistan, para. 15; and Statement by Assistant Secretary-General for Human Rights on his visit to Tajikistan, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13347&LangID=E.
[74] See E/C.12/TJK/CO/2-3, para. 25. See also CAT/C/TJK/CO/2, para. 16; and country team submission to the review of Tajikistan, para. 17.
[75] See country team submission to the review of Tajikistan, paras. 14-15.
[76] See CEDAW/C/TJK/CO/4-5, paras. 17 and 18.
[77] See A/HRC/23/41/Add.2, para. 45.
[78] See CAT/C/TJK/CO/2, para. 16.
[79] See CCPR/C/TJK/CO/2, para. 15.
[80] See CEDAW/C/TJK/CO/4-5, para. 25. See also E/C.12/TJK/CO/2-3, para. 24.
[81] ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185821:NO. See also E/C.12/TJK/CO/2-3, para. 24.
[82] ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Worst Forms of Child Labour Convention, 1999 (No. 182) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3185821:NO. See also E/C.12/TJK/CO/2-3, para. 24; and ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Minimum Age Convention, 1973 (No. 138) – Tajikistan, adopted in 2013, published 104st ILC session (2014), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3147110:NO.
[83] See CEDAW/C/TJK/CO/4-5, para. 19. See also CERD/C/TJK/CO/6-8, para. 15.
[84] See country team submission to the review of Tajikistan, para. 25.
[85] See CAT/C/TJK/CO/2, para. 17.
[86] See E/C.12/TJK/CO/2-3, para. 8. See also CCPR/C/TJK/CO/2, para. 18; and country team submission to the review of Tajikistan, para. 28.
[87] See country team submission to the review of Tajikistan, para. 28.
[88] See CCPR/C/TJK/CO/2, para. 19.
[89] See A/HRC/22/53/Add.1, para. 89.
[90] See A/HRC/28/68/Add.2, para. 17. See also CCPR/C/TJK/CO/2, para. 18.
[91] A/HRC/29/50, p. 53. See also A/HRC/26/21, p. 66; and country team submission to the review of Tajikistan, para. 31.
[92] See CCPR/C/TJK/CO/2, para. 18. See also A/HRC/28/68/Add.2, para. 19.
[93] See E/C.12/TJK/CO/2-3, para. 7.
[94] See CCPR/C/TJK/CO/2, para. 18. See also E/C.12/TJK/CO/2-3, para. 7; and country team submission to the review of Tajikistan, para. 30.
[95] See A/HRC/28/68/Add.2, para. 11. See also A/HRC/22/53/Add.1, paras. 89, 92 and 100.
[96] See A/HRC/22/53/Add.1, para. 99 (e) and para. 100 (a).

[97] See CAT/C/TJK/CO/2, para. 8. See also CCPR/C/TJK/CO/2, para. 16.
[98] See CCPR/C/TJK/CO/2, para. 17. See also A/HRC/22/53/Add.1, para. 100 (c); A/HRC/28/68/Add.2, para. 16; A/HRC/28/68/Add.2, paras. 47- 48; and CAT/C/TJK/CO/2, para. 8.
[99] See CCPR/C/TJK/CO/2, para. 9. See also CAT/C/TJK/CO/2, para. 10.
[100] See CCPR/C/TJK/CO/2, para. 9.
[101] See CAT/C/TJK/CO/2, para. 14. See also A/HRC/28/68/Add.2, paras. 45 and 49.
[102] See CAT/C/TJK/CO/2, para. 14. See also A/HRC/22/53/Add.1, para. 101 (b); and A/HRC/28/68/Add.2, para. 46.
[103] See CAT/C/TJK/CO/2, para. 14. See also A/HRC/22/53/Add.1, para. 100; A/HRC/28/68/Add.2, para. 55; and country team submission to the review of Tajikistan, para. 24.
[104] See CAT/C/TJK/CO/2, para. 11. See also and A/HRC/28/68/Add.2, para. 30.
[105] See CAT/C/TJK/CO/2, para. 15. See also A/HRC/28/68/Add.2, paras. 38 and 55; and A/HRC/22/53/Add.1, para. 90.
[106] See CCPR/C/TJK/CO/2, para. 14. See also CAT/C/TJK/CO/2, paras. 11 and 13; and A/HRC/28/68/Add.2, para. 55.
[107] See A/HRC/22/53/Add.1, para. 91. See also CCPR/C/TJK/CO/2, para. 14; CAT/C/TJK/CO/2, para. 15; A/HRC/28/68/Add.2, para. 55; and country team submission to the review of Tajikistan, para. 24.
[108] See CAT/C/TJK/CO/2, para. 7.
[109] See A/HRC/28/68/Add.2, para. 9. See also A/HRC/22/53/Add.1, para. 99 (a).
[110] See A/HRC/28/68/Add.2, para. 42.
[111] See CAT/C/TJK/CO/2, para. 21.
[112] See country team submission to the review of Tajikistan, para.32; and CAT/C/TJK/CO/2, para. 20.
[113] See A/HRC/22/53/Add.1, para. 95; and A/HRC/28/68/Add.2, para. 28. See also CAT/C/TJK/CO/2, para. 20.
[114] See A/HRC/28/68/Add.2, para. 28. See also A/HRC/22/53/Add.1, para. 73; and CAT/C/TJK/CO/2, para. 20.
[115] See A/HRC/22/53/Add.1, para. 76. See also country team submission to the review of Tajikistan, para. 33; and CAT/C/TJK/CO/2, para. 20.
[116] See E/C.12/TJK/CO/2-3, para. 12. See also CMW/C/TJK/CO/1, para. 21.
[117] See CCPR/C/TJK/CO/2, para. 18. See also country team submission to the review of Tajikistan, para. 28.
[118] See A/HRC/28/68/Add.2, para. 44.
[119] See CEDAW/C/TJK/CO/4-5, para. 33.
[120] See country team submission to the review of Tajikistan, para. 16.
[121] See CEDAW/C/TJK/CO/4-5, para. 33.
[122] See E/C.12/TJK/CO/2-3, para. 26.
[123] See CCPR/C/TJK/CO/2, para. 20. See also country team submission to the review of Tajikistan, paras. 45-46.
[124] See CCPR/C/TJK/CO/2, para. 20. See also country team submission to the review of Tajikistan, para. 45.
[125] See CCPR/C/TJK/CO/2, para. 20. See also country team submission to the review of Tajikistan, para. 49.
[126] See CCPR/C/TJK/CO/2, para. 21.
[127] See country team submission to the review of Tajikistan, para. 36.
[128] See CCPR/C/TJK/CO/2, para. 22. See also country team submission to the review of Tajikistan, para. 36.
[129] See country team submission to the review of Tajikistan, para. 37.
[130] See CCPR/C/TJK/CO/2, para. 22. See also country team submission to the review of Tajikistan, para. 38.
[131] See UNESCO submission to the review of Tajikistan, para. 36.
[132] See CCPR/C/TJK/CO/2, para. 22.
[133] See ibid., para. 23.
[134] See E/C.12/TJK/CO/2-3, para. 10. See also country team submission to the review of Tajikistan, para. 40; A/HRC/29/25/add.3; OHCHR 2014 Report, p. 31; and Press briefing notes on Tajikistan,

available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16288&LangID=E.

135 See A/HRC/29/50, p. 12.

136 See country team submission to the review of Tajikistan, para. 41.

137 See CCPR/C/TJK/CO/2, para. 23. See also country team submission to the review of Tajikistan, para. 40; and A/HRC/23/29/Add. 2, para. 393.

138 See CCPR/C/TJK/CO/2, para. 23. See also E/C.12/TJK/CO/2-3, para. 10; and A/HRC/23/29/Add. 2, para. 394.

139 See country team submission to the review of Tajikistan, para. 39.

140 See CCPR/C/TJK/CO/2, para. 24.

141 See country team submission to the review of Tajikistan, para. 42. See also Press briefing notes on Tajikistan, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16555&LangID=E.

142 See CCPR/C/TJK/CO/2, para. 25.

143 See CERD/C/TJK/CO/6-8, para. 12.

144 See CEDAW/C/TJK/CO/4-5, para. 22. See also CCPR/C/TJK/CO/2, para. 6; and E/C.12/TJK/CO/2-3, para. 16.

145 See E/C.12/TJK/CO/2-3, para. 17.

146 ILO Committee of Experts on the Application of Conventions and Recommendations, direct request concerning ILO Maternity Protection Convention (Revised), 1952 (No. 103) – Tajikistan, adopted in 2014, published 104st ILC session (2015), available from http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3183849:NO. See also CEDAW/C/TJK/CO/4-5, para. 25.

147 See A/HRC/23/41/Add.2, paras. 5 and 48.

148 Secretary-General's remarks to the press after meeting the President of Tajikistan, available from http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=2641#.Vr29q032ZMx

149 See E/C.12/TJK/CO/2-3, para. 21.

150 See ibid., para. 28. See also Secretary-General's remarks to the press after meeting the President of Tajikistan, available from http://www.un.org/apps/news/infocus/sgspeeches/statments_full.asp?statID=2641#.Vr29q032ZMx.

151 End of mission statement by the United Nations Special Rapporteur on the human right to safe drinking water and sanitation, Tajikistan, 4-12 August 2015, available from http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16313&LangID=E. See also E/C.12/TJK/CO/2-3, para. 28.

152 See ibid., para. 29.

153 See country team submission to the review of Tajikistan, para. 61.

154 See E/C.12/TJK/CO/2-3, para. 27. See also country team submission to the review of Tajikistan, para. 62.

155 See A/HRC/23/41/Add.2, para. 48. See also E/C.12/TJK/CO/2-3, para. 30; CEDAW/C/TJK/CO/4-5, para. 28; and country team submission to the review of Tajikistan, para. 60.

156 See A/HRC/23/41/Add.2, para. 49. See also E/C.12/TJK/CO/2-3, para. 30.

157 See country team submission to the review of Tajikistan, para. 59.

158 See E/C.12/TJK/CO/2-3, para. 31.

159 See CEDAW/C/TJK/CO/4-5, para. 28.

160 See E/C.12/TJK/CO/2-3, para. 32.

161 See country team submission to the review of Tajikistan, paras. 56–57.

162 See CEDAW/C/TJK/CO/4-5, para. 28. See also E/C.12/TJK/CO/2-3, para. 32; and country team submission to the review of Tajikistan, para. 20.

163 See A/HRC/23/41/Add.2, para. 25.

164 See ibid., para.50. See also E/C.12/TJK/CO/2-3, para. 32.

165 See A/HRC/23/41/Add.2, para.51.

166 See E/C.12/TJK/CO/2-3, para. 33.

167 See ibid., para. 35. See also UNESCO submission to the review of Tajikistan, paras. 21 and 22.

168 See E/C.12/TJK/CO/2-3, para. 34. See also CEDAW/C/TJK/CO/4-5, para. 23.

169 See E/C.12/TJK/CO/2-3, para. 14.

170 See ibid.

[171] See country team submission to the review of Tajikistan, para. 11. See also E/C.12/TJK/CO/2-3, para. 17.
[172] See ibid., para. 36.
[173] See ibid., para. 37. See also country team submission to the review of Tajikistan, para. 64.
[174] See CERD/C/TJK/CO/6-8, para. 18.
[175] See country team submission to the review of Tajikistan, para. 65.
[176] See CMW/C/TJK/CO/1, para. 6.
[177] See CMW/C/TJK/CO/1, para. 24. See also para. 32.
[178] See E/C.12/TJK/CO/2-3, para. 22.
[179] See CMW/C/TJK/CO/1, para. 44.
[180] UNHCR submission to the review of Tajikistan, p. 11.
[181] UNHCR submission to the review of Tajikistan, p. 10. See also CCPR/C/TJK/CO/2, para. 11.
[182] See CCPR/C/TJK/CO/2, para. 12. See also CAT/C/TJK/CO/2, para. 18; and A/HRC/28/68/Add.2, para. 40.
[183] See CCPR/C/TJK/CO/2, para. 12. See also CCPR/C/TJK/CO/2, para. 12; and CAT/C/TJK/CO/2, para. 18.
[184] See A/HRC/28/68/Add.2, para. 41.
[185] See CCPR/C/TJK/CO/2, para. 13. See also country team submission to the review of Tajikistan, para. 43; and CAT/C/TJK/CO/2, para. 18.
[186] See CERD/C/TJK/CO/6-8, para. 14.
[187] UNHCR submission to the review of Tajikistan, p. 2. See also country team submission to the review of Tajikistan, p. 7, para. 50.
[188] See CCPR/C/TJK/CO/2, para. 11.
[189] See CERD/C/TJK/CO/6-8, para. 14. See also CCPR/C/TJK/CO/2, para. 11; E/C.12/TJK/CO/2-3, para. 15; and country team submission to the review of Tajikistan, para. 51.
[190] See CERD/C/TJK/CO/6-8, para. 14.
[191] UNHCR submission to the review of Tajikistan, p. 3. See also country team submission to the review of Tajikistan, para. 53.
[192] UNHCR submission to the review of Tajikistan, p. 2. See also country team submission to the review of Tajikistan, para. 52.
[193] See E/C.12/TJK/CO/2-3, para. 11.

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Tajikistan*

The present report is a summary of 18 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Human Rights Council resolution 16/21, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

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Information provided by stakeholders

A. Background and framework

1. Scope of international obligations[2]

1. It was recommended that Tajikistan ratify CRPD,[3] OP-CAT,[4] ICCPR-OP2[5] and the Conventions on statelessness.[6]

2. Joint Submission (JS) 5 recommended that Tajikistan make declarations to recognise the competence of CAT to receive and consider individual communications.[7]

2. Constitutional and legislative framework

n/a

3. Institutional and human rights infrastructure and policy measures

3. JS5 recommended ensuring the independent functioning of the Human Rights Ombudsman.[8]

4. JS3 recommended including representatives of independent non-governmental organisations (NGOs) as members of the Commission on the implementation of international human rights obligations of Tajikistan.[9]

5. JS3 noted that the 2013 action plan on torture lacked clear indicators to enable to measure its implementation. Local human rights organisations were not involved in drafting of the action plan.[10]

6. JS6 stated that the strategy on advancement of the role of women for 2011-2020 did not include indicators, hindering monitoring of its implementation. There was a lack of gender budgeting and of state funding to implement programs and action plans adopted in the framework of the strategy.[11]

B. Cooperation with human rights mechanisms

7. JS7/SRI (Sexual Rights Initiative) stated that certain organisations that worked to protect the rights of lesbian, gay, bisexual and transgender (LGBT) persons and of sex workers and the right to sexual and reproductive health were not invited to participate in discussions regarding the implementation of the recommendations put forward during the universal periodic review in 2011 (UPR). It concluded that Tajikistan failed to implement fully recommendation no. 88.9 on engagement of civil society in the process of follow up to the UPR.[12]

Cooperation with special procedures

8. JS5 recommended issuing a standing invitation to all special procedures mandate holders of the Human Rights Council.[13] International Service for Human Rights (ISHR) recommended strengthening cooperation with the United Nations, including in relation to individual cases, by responding promptly and substantively to allegation letters and urgent appeals by special procedures mandate holders.[14]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

9. JS5 noted the absence of a comprehensive anti-discrimination legislation. Domestic legislation did not include prohibition of discrimination on the grounds of disability, age and sexual orientation and a definition of direct and indirect discrimination.[15]

10. The Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe (OSCE/ODIHR) stated that social, cultural and religious norms regarding the traditional roles and responsibilities of women and men in the family and in society persisted.[16] International Center for Advocates Against Discrimination (ICAAD) referred to structural discrimination against women.[17]

11. JS6 recommended that Tajikistan encourage sharing family responsibilities between women and men through the elimination of stereotypes and traditional attitudes that discriminate against women; eliminate structural inequalities and occupational segregation and adopt measures to narrow and close the gender pay gap.[18]

12. JS7/SRI noted existing widespread homophobia and transphobia, including in the media, and discrimination against LGBT persons in the workplace and by health professionals.[19] It referred to documented cases of violence against LGBT persons, including by law enforcement officers. The Police organised raids on meeting zones used by homosexual and bisexual men, and arrested and detained illegally several of them even though same sex behaviour was decriminalised in 1998.[20]

13. JS7/SRI indicated hate crimes and discrimination against sex workers. They were denied access to medical services, mistreated or verbally abused by medical specialists. Sex workers were often subject to violence by police and forced to go through HIV and STD testing, and other medical procedures during the police raids.[21]

14. JS7/SRI recommended that Tajikistan condemn violence and torture against LGBT persons and sex workers by law enforcement officers and abolish the "morality" raids against them.[22]

15. JS7/SRI recommended introducing comprehensive hate crime legislation that includes sexual orientation and gender identity as a bias, and implementing programs to prevent hate crimes, discrimination and violence.[23] It recommended combating hate speech in media, including hate speech against LGBT persons and sex workers.[24]

2. Right to life, liberty and security of the person

16. Noting a moratorium on death sentences and executions, JS2 reported that ICCPR-OP2 was not ratified despite the acceptance by Tajikistan of several UPR recommendations to ratify it. The death penalty was not abolished.[25]

17. Human Rights Watch (HRW) reported that torture and ill-treatment remained widespread. Police and investigators used torture to coerce confessions. It recalled that Tajikistan supported a recommendation of the UPR to eradicate the use of torture.[26]

18. Noting the UPR recommendations concerning definition of torture,[27] JS3 reported that Tajikistan introduced a definition of torture into the Criminal Code that was in line with CAT. However, sanctions often used for such crimes were not commensurate with the severity of the crime.[28]

19. HRW recommended that Tajikistan publicly acknowledge the scope and gravity of the problem of torture, and implement the recommendations put forward by the Special Rapporteur on torture based on his visits to the country in 2012 and 2014.[29]

20. JS4 referred to human rights violations committed by representatives of military commissariats against conscripts, including arbitrary arrests and inhuman treatment. It stated that military representatives used various methods to bring conscripts to the military commissariats including beating and blackmailing. After the President issued an order to eliminate all forms of illegal conscriptions, the number of cases of arbitrary arrests and forcible deployment of conscripts decreased.[30]

21. JS3 referred to documented cases of torture and ill-treatment, including hazing, in the armed forces. Hazing of new recruits by fellow soldiers was routine in the army.[31] JS4 stated that Tajikistan failed to ensure thorough investigation of cases of inhuman treatment of military personnel and provide adequate compensation to victims.[32] JS5 made similar observations.[33]

22. HRW stated that a law on domestic violence was adopted in 2013 as requested by several UPR recommendations. However, the law reportedly remained unimplemented and victims of domestic violence continued to receive inadequate protection.[34] ISHR stated that violence against women remained a serious issue.[35] JS7/SRI stated that not a single case of domestic violence was officially registered since 2013. Victims of domestic violence did not always report the violence out of fear of persecution and inadequate response by the police and the judiciary.[36] JS6 stated that domestic violence was not criminalised, but remained an administrative offence.[37]

23. JS6 stated that the 2013 law established conditions for issuing protection orders for victims of domestic violence, but did not provide the necessary procedures.[38] JS7/SRI stated that there were very few shelters for victims of domestic violence.[39]

24. The Global Initiative to End All Corporal Punishment of Children (GIEACPC) noted that Tajikistan supported several UPR recommendations to prohibit all corporal punishment of children.[40] The law on education explicitly prohibited corporal punishment in schools and in preschool education. However, the law on domestic violence did not include clear prohibition of corporal punishment in the home. There was no explicit prohibition of corporal punishment in all alternative care settings and penal institutions. It was recommended that Tajikistan prohibit all corporal punishment of children in all settings.[41]

25. JS6 stated that child labour was used widely in various spheres. It recommended fighting worst forms of child labour and abolishing this practice, including in cotton fields.[42]

3. Administration of justice, including impunity, and the rule of law

26. JS5 stated that the judiciary was not independent. Judges were appointed and dismissed by the decision of the President based on suggestions of the Council of Justice - a body of the executive brunch.[43] ISHR recommended ensuring the independence of the judicial system.[44] Lawyers for Lawyers (L4L) recommended that Tajikistan continue to implement the UPR recommendations no. 88.44 and 88.45[45] in order to ensure the proper functioning of the judicial system.[46]

27. JS4 recommended prohibiting military courts from exercising jurisdiction over civilians.[47]

28. L4L noted that the prosecution played a dominant role in criminal proceedings.[48] JS5 recommended bringing authorities of the Prosecutor's office in compliance with international standards to ensure equality of arms in court proceedings. The Prosecutor's office should be deprived of authority to suspend execution of pronounced sentences.[49]

29. International Bar Association's Human Rights Institute (IBAHRI) stated that a new law on advocacy and the Bar, which came into force in 2015, established a single unified bar association with mandatory membership for all lawyers to replace existing bar associations.[50] L4L welcomed the efforts of the Government to establish a national bar association. However, the law established a qualification commission under the Ministry of Justice, with a responsibility of conferring and withdrawing a lawyer's status. L4L was concerned that lawyers currently working on controversial cases might be at risk of not having their lawyers' status reinstated due to executive interference.[51] IBAHRI expressed similar concerns.[52]

30. L4L stated that lawyers encountered difficulties in carrying out their profession independently.[53] JS3 reported that police investigators often denied access of lawyers to their clients for days and that they often saw their clients for the first time at the remand hearing or even later.[54] L4L referred to information indicating that lawyers working on high profile cases were regularly subjected to threats or physical attacks, intimidation and improper interference by prosecutors or members of law enforcement agencies.[55]

31. JS3 recommended ensuring that lawyers have unhindered access to their clients at all stages of detention and in all detention facilities.[56] L4L recommended that Tajikistan prevent that lawyers are threatened, intimidated, harassed or subjected to improper interference while exercising their professional duties and ensure that crimes, harassment and other violations against lawyers are effectively investigated, publicly condemned and perpetrators of such acts are prosecuted.[57] It recommended amending the law on advocacy to ensure that the qualification commission is no longer placed under the Ministry of Justice and that the new qualification exam is not retrospective, forcing all current practising lawyers to re-qualify.[58]

32. IBAHRI stated that the provision of free legal aid was underdeveloped. Legislation provided for the provision of free legal aid in certain circumstances. However, there was no state budget for the provision of legal aid. The Government owed large sums to lawyers in respect of work completed.[59]

33. JS3 stated that domestic legislation provided detainees with legal safeguards, but it was ambiguous as to when a person was considered a detainee. In practice, it was often drawn up several hours, sometimes even days after the de facto apprehension. Although Tajikistan supported a recommendation of the UPR[60] to include the identity of the apprehending officers in the detention record, the Criminal Procedure Code was not amended accordingly.[61]

34. JS3 stated that the Criminal Procedure Code stipulated that remand hearings should take place within 72 hours after a person was taken into custody. In practice, detainees were often brought before a judge later than the 72-hour limit.[62] It recommended amending the Criminal Procedure Code to ensure that remand hearings take place no longer than 48 hours after apprehension.[63]

35. JS5 noted a lack of a mechanism for public oversight over places where people were deprived of their liberty.[64] JS3 noted that a monitoring group was established within the Office of Ombudsman in 2014 and it consisted of the staff of the Office and civil society representatives. There were concerns about their ability to conduct unlimited and unannounced monitoring. The administration of the detention facilities appeared to have been informed of visits of the monitoring group in advance, although, since early 2015, no advance notification was required. When the monitoring group received allegations of torture, the administration of a detention facility admitted the staff of the Ombudsman, but denied access to its members from civil society.[65]

36. JS3 recommended establishing an effective national preventive mechanism and granting unimpeded access to the ICRC and independent NGOs to all places of detention, conscription commissions and to military units.[66]

37. JS3 stated that official investigations into allegations of torture were opened only in a small number of cases, and in many cases only disciplinary proceedings were imposed. Many victims of torture did not file complaints because of a fear of reprisals.[67] Noting two recommendations of the UPR to establish an independent compliant mechanism,[68] JS3 reported on the statement of the Prosecutor's Office that no such mechanism was needed considering an insignificant number of complaints.[69]

38. HRW recommended ensuring that prompt, thorough and impartial investigations are carried out into all allegations of torture and ill-treatment and all deaths in custody.[70] JS3 recommended establishing an independent body endowed with sufficient authority and competence to conduct independent investigations into allegations of torture and ill-treatment.[71]

39. JS3 recommended ensuring that any statement or confession elicited as a result of torture or ill-treatment is not used as evidence in any proceedings except those brought against the alleged perpetrators. It recommended that Tajikistan oblige judges at remand hearings to inquire into a detainee's treatment in custody and to order an effective investigation if the detainee complains about torture or ill-treatment or if there is any other indication that he or she may have been subjected to such treatment.[72]

40. JS3 stated that domestic legislation did not exclude perpetrators of torture or ill-treatment from benefitting from amnesties for prisoners. It was concerned that the legislation contained a statute of limitations applicable to the crimes of torture and ill-treatment.[73] JS3 recommended legislating that perpetrators of torture or ill-treatment are excluded from amnesties for prisoners and abolishing the statute of limitations with regard to torture and ill-treatment.[74]

41. JS5 noted the lack of legislation on rehabilitation of victims of torture and stated that victims of torture often did not receive fair and adequate compensation.[75] JS3 recommended ensuring the right of victims to redress in the legislation, including fair and adequate compensation and rehabilitation for damages caused by torture regardless of whether the perpetrators of such acts were brought to justice.[76]

42. JS5 stated that the national action plan on reform of juvenile justice for 2010-2015 had several drawbacks and that mid-term reports on the implementation of the Plan were not published. Tajikistan reintroduced the use of solitary confinement as a disciplinary measure for juveniles. Juveniles were kept with adults in temporary or pre-trial detention centres located outside of Dushanbe. No specific actions were taken to establish child-friendly procedures for criminal cases involving a child victim or a child witness. The legislation did not provide a requirement for the mandatory participation of a lawyer and a psychologist in cases where children were victims or witnesses of crimes.[77]

4. Right to privacy, marriage and family life

43. JS7/SRI recommended introducing and implementing clear procedures of changing names and gender markers for transgender individuals, who want to change their passport information and other identity documents according to their gender identity.[78]

44. JS7/SRI stated that the minimum marriage age was 18 years. Many parents required their daughters to drop out of schools and forced them to get married. Such couples could not register officially the marriage as a spouse was below the age of 18, so many of them turned to local religious leaders (mullahs), who held the wedding ceremony without official registration. The Government required the mullahs not to perform a religious wedding

ceremony for couples who did not have a civil marriage certificate. However, this decision was not implemented fully and early marriages without official registration had been taking place.[79]

45. JS6 stated that the system of foster care or guardianship did not function. Children who were deprived of parental care and were temporarily placed in orphanages or boarding schools stayed in those places for years and became so-called social orphans.[80]

5. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

46. HRW stated that the authorities maintained tight restrictions on religious freedoms, including on religious education and worship.[81] JS2 stated that the law on religious freedom banned the activities of unregistered religious organizations and imposed serious restrictions on places of worship, religious literature, religious education and other religious activities.[82] Forum 18[83], Jubilee Campaign (JC)[84], ICAAD[85] and the Alliance Defending Freedom International (ADF International)[86] made similar observations. European Association of Jehovah's Christian Witnesses (EAJCW) concluded that Tajikistan did not implement a recommendation of the UPR to guarantee freedom of religion and worship.[87]

47. JS2 stated that the production, import and distribution of religious materials required permission of the State Committee on Religious Affairs. Materials deemed inappropriate was confiscated.[88] JC stated that the 2011 amendments to the Law on religion restricted persons from traveling abroad to acquire religious education unless the person obtained their first religious education by a state-authorized institution in the country. There were no such institutions, providing Christian teaching and thus, Christians had no possibility to attain theological education neither at home nor abroad.[89]

48. HRW stated that under the pretext of combating extremism, Tajikistan continued to ban several Muslim groups. Some Christian minority denominations, such as Jehovah's Witnesses were similarly banned.[90] EAJCW highlighted the repeated denial by the authorities of the applications of Jehovah's Witnesses to re-register.[91] They were denied the right to conduct religious meetings and produce religious literature and their members were exposed to arrest, detention, beating and deportation for alleged illegal religious activities.[92]

49. JS2 stated that the Hanafi school of Islam had been promoted, to the detriment of other schools of Islam.[93] Forum 18 noted limitations on the numbers of mosques allowed per head of population and stated that non-permitted mosques were demolished.[94] HRW stated that the Government suppressed unregistered Muslim education, brought administrative charges against religious instructors, and controlled the content of sermons.[95] Forum 18 noted a ban on Islamic preaching in all but the largest mosques.[96] HRW noted restrictions on religious dress and that headscarves were banned in educational institutions. Beards were prohibited in public buildings.[97] JS2 and Forum 18 reported on cases where law enforcement officials forcibly shaved bearded Muslim men.[98]

50. HRW stated that a law on parental responsibility stipulated that parents must prevent their children from participating in religious activities, except for state-sanctioned religious education, until they turn 18.[99] JC[100], ICAAD[101], ADF International[102] and Forum 18[103] made similar observations. ADF International concluded that the law violated article 18 of ICCPR and article 14 of CRC.[104]

51. HRW recommended amending the restrictive laws concerning religious freedoms, to bring them into conformity with international and OSCE commitments.[105] JS2[106] JC,[107] ICAAD[108] and ADF International[109] made similar recommendations.

52. JS4 stated that the legislation stipulated that everyone had a right to alternative service. However, the absence of a special law on alternative service made the enjoyment of this right impossible.[110]

53. JS1 stated that Tajikistan supported six recommendations of the UPR related to freedom of expression and undertook some positive legal reforms. However, in practice the situation regarding freedom of expression was not improved.[111] HRW stated that the authorities attempted to restrict media freedoms and access to independent information.[112]

54. JS1 welcomed the passage of a law on mass media in 2012, which contained several positive aspects, including a liability for the violation of media freedom and a prohibition on censorship and political persecution of critical opinions. However, journalists remained subject to legal harassment, with criminal and civil charges frequently brought against critical voices.[113]

55. HRW reported that Tajikistan retained criminal sanctions for insulting the President or any government officials despite the 2012 legal amendments removing libel as an offense from the criminal code.[114] JS1 and HRW recalled that Tajikistan supported recommendations of the UPR to decriminalize defamation and insult.[115]

56. JS1 stated that civil defamation lawsuits were frequently brought against critical journalists, and courts issued disproportionate sanctions against them, with the intention of silencing journalists.[116] It explained that civil defamation provisions of the Civil Code did not conform to international standards on freedom of expression. Those provisions provided for excessive financial compensation for defamatory statements and did not provide for adequate defences against defamation claims, nor did differentiate statements of fact from statements of opinion, whereas under international law statements of opinion were accorded significant protection.[117]

57. JS1 stated that the implementation of the law on access to information was poor, and that the Government increasingly sought to control access to information.[118] JS2 stated that a new regulation, which was introduced in 2015, required government agencies to send their communications and press releases to the Khovar state information agency, while other media outlets could only report on official events citing this agency. Media representatives were concerned that the regulation would be used to deprive them of the opportunity to obtain first-hand information about official events.[119]

58. JS5 stated that access to information was hindered by the ongoing practice of extrajudicial blocking of web-sites of independent mass media and social networks.[120] HRW stated that under the pretext of protecting national security, the telecommunication agency had regularly ordered the blocking of websites.[121] JS1 reported on several incidents of mass blocking of access to internet resources and websites without court decisions in order to suppress political and social activism.[122] It stated that Tajikistan introduced legal amendments in 2014, enabling the government to block mobile services and access to the Internet without a court order, following the announcement of a state of emergency.[123]

59. HRW recommended that Tajikistan rescind undue restrictions on the media, including the 2015 rule barring media from reporting news about government actions and policies without citing reports by the official state news agency *Khovar*, respect freedom of information and tolerate all forms of legitimate speech.[124] JS2 recommended that Tajikistan put an end to the practice of arbitrary blocking of access to websites and mobile phone services and ensure that residents have unhindered access to information.[125]

60. JS1 recommended repealing the remaining defamation and insult provisions from the Criminal Code[126] and amending the Civil Code to ensure inter alia that no one should be liable for the expression of an opinion in relation to statements on matters of public concern.[127]

61. JS1 recommended that Tajikistan reform the law on TV and radio broadcasting, to bring it in line with international standards on freedom of expression, including by establishing an independent regulatory body and ensuring respect for freedom of editorial policy.[128]

62. JS1 recommended releasing all journalists who were arbitrarily detained.[129] JS2 recommended that Tajikistan condemn intimidation and harassment of media and journalists and ensure that any such incidents are thoroughly and impartially investigated and the perpetrators brought to justice.[130]

63. JS2 reported that Tajikistan has limited freedom of association and exerted pressure on human rights defenders.[131] JS3 expressed concern at the increasing pressure faced by NGOs.[132] ISHR reported that human rights defenders continued to be harassed and threatened by the Government.[133]

64. JS2 stated that the situation of civil society, in particular that of NGOs working on human rights and on other sensitive issues had seriously worsened in 2015. Since the 2011 UPR, numerous NGOs experienced inspections of their activities by the Tax Committee and security agencies, in some cases resulting in warnings and sanctions. The trend had intensified in 2015. The environment for HRDs deteriorated and activists, lawyers and journalists were under pressure from the Government to drop or refrain from addressing specific politically sensitive issues.[134]

65. JS5 reported on the 2015 amendments to the law on public associations requiring registration of funding from foreign sources and grants of NGOs with the Ministry of Justice.[135] JS2 referred to concerns expressed that the amendments placed an unnecessary administrative burden on NGOs and that they might be used to obstruct the access to funding of NGOs.[136]

66. ISHR recommended amending the law on public association to ensure its compatibility with international human rights laws, with active participation of civil society.[137] HRW recommended that Tajikistan support the development of a strong, vibrant, and independent civil society by allowing the unimpeded operation of independent human rights and other civil society groups.[138]

67. JS1 stated that during the 2011 UPR, Tajikistan supported one recommendation regarding the right to peaceful assembly.[139] However, protests remained rare and the Government continued to present any form of protest as a security threat. The 2014 law on public assemblies placed significant restrictions on the right to freedom of peaceful assembly. It replicated problematic requirements in the previous law, stipulating that organisers must obtain permission 15 days prior to organising a mass gathering and limited the time and place where gatherings might take place, turning many areas into no-protest zones and banning protest at night. The law prohibited foreign citizens, stateless persons and persons who had a record of administrative violations from organising mass events or gatherings. [140] JS5 recommended that Tajikistan bring the law on public assemblies in compliance with international standards on the right to peaceful assembly.[141]

68. HRW stated that the authorities widened a crackdown on the political opposition.[142] ISHR reported that political opponents were subject to intimidation and threats.[143] OSCE/ODIHR noted that the opposition Islamic Revival Party of Tajikistan (IRPT) faced particular pressure.[144] HRW reported that the opposition party was shut out of parliament in 2015 and the leader of the party went into exile, fearing prosecution on bogus charges. The Ministry of Justice ordered the closure of the party.[145] OSCE/ODIHR reported that thirteen party members were arrested in September, 2015 and that the General Prosecutor officially implicated the chairman of the party in the armed clashes on 4 September. The chairman denied those accusations.[146]

69. JS2 recommended ensuring that political parties can operate without hindrance or harassment.[147] ISHR recommended releasing all arbitrary detained political opposition figures.[148]

70. OSCE/ODIHR stated that the participation of women in political and public life remained low despite the adoption of a national strategy to promote the role of women. Tajikistan did not adopt temporary special measures and incentives for political parties to nominate women as candidates.[149]

71. OSCE/ODIHR concluded that the 2015 parliamentary elections took place in a restricted political space. Restrictions on the right to stand, freedoms of expression and assembly, and access to media limited the opportunity to make a free and informed choice.[150] It noted that the restrictive candidate registration requirements resulted in a lack of genuine choice and meaningful pluralism during the 2013 presidential election.[151] In 2013 and 2015, reports of OSCE/ODIHR offered several recommendations to bring elections fully in line with OSCE commitments and international standards for democratic elections.[152]

6. Right to social security and to an adequate standard of living

72. JS6 stated that more than half of the population did not have an access to drinking water and that water from unsafe sources had been used for drinking and for household needs.[153]

73. JS6 recommended developing a social housing policy for the most vulnerable groups of population, increasing state allocations for construction of subsidised housing, and ensuring access to information on urban construction plans and encouraging public participation in the development of such plans.[154]

74. HRW recommended that Tajikistan uphold the social and economic rights of all persons resettled as a result of or otherwise affected by the Rogun Dam and Hydropower Plant, and provide adequate compensation to resettles, ensuring access to adequate drinking water, proper sanitation, educational, medical, and employment opportunities in areas of resettlement.[155]

7. Right to health

75. JS6 stated that mandatory health insurance covered from the state budget for a specific group of people did not function.[156]

76. JS7/SRI stated that Tajikistan had a number of policies and programs concerning the right to sexual and reproductive health, however they were limited and inefficient. The programs were often not implemented due to several reasons, including financial constraints.[157] It recommended improving the quality of the secondary school programme on sexuality education and introducing a similar programme for younger pupils in compliance with guidance of UNESCO and UNFPA on sexuality education.[158] JS7/SRI recommended empowering and educating youth and adolescents about their rights to sexual and reproductive health and increasing their access to sexual and reproductive health services.[159]

77. JS6 stated that funding of mental health was not sufficient and that the draft strategy and policy on mental health for 2012-2015 was not yet adopted.[160]

8. Right to education

78. JS6 noted a shortage of teachers, a lack of access to preschool educational institutions, and high dropout rates among girls. It recommended inter alia increasing

access to and quality of education, especially in rural areas and developing programs to ensure access of children to preschool education.[161]

9. Persons with disabilities

79. JS6 recommended adopting new criteria of defining disability that are in accordance with international standards.[162]

80. JS6 stated that the 2013 law on education included definition of inclusive education and provided guarantees for access to education of children with disabilities in public schools. However, schools with inclusive education had been mainly located in big cities, and that inclusive education in the regions remained problematic. The lack of teaching materials and programs for inclusive education had an impact on the quality of inclusive education. Teachers did not have adequate knowledge to work with children with special needs. Education of children with physical and mental disabilities took place in special educational institutions and thus, resulted in institutionalisation of children with disabilities.[163]

81. JS6 stated that legal provisions on employment quotas for persons with disabilities had not been enforced owing to a lack of implementation mechanisms and thus, the number of persons with disabilities who were employed through the quote system remained low. JS6 noted recent cases of dismissal of persons with disabilities.[164]

82. JS6 noted that access to public infrastructure of persons with disabilities was limited and that public buildings and transportation were generally not adapted to the needs of persons with disabilities.[165]

10. Minorities

83. OSCE/ODIHR stated that the Constitution did not make any direct reference to national minorities, but enshrined principles of non-discrimination and equality of rights. The Constitution established Tajik as the state language and Russian as a language of communication between nationalities.[166]

84. JS6 recommended establishing a unit in the Ministry of Education to develop teaching materials for schools with the language of instruction in Russian, Uzbek, Kyrgyz and Turkmen as well as adopt a long term plan to publish textbooks and teaching materials for those schools.[167]

11. Migrants, refugees and asylum seekers

85. JS6 stated that the strategy on labor migration of Tajik citizens abroad for 2011-2015 established a mechanism for reintegration of returned migrants in the economy. However, several centers on reintegration that were established in 2012 did not function owing to a lack of funding and qualified staff. It concluded that measures for reintegration and employment of returned migrants were inadequate.[168]

86. JS6 stated that a government decree restricted the right of refugees to reside in many areas of the country, including in Dushanbe and Khudjand. It recommended repealing the decree.[169]

87. JS6 stated that legislation guaranteed the right of refugees to receive financial and other type of assistance. However, mechanisms to provide such assistance were not developed.[170]

88. JS6 recommended developing a procedure for documenting stateless persons and using simplified procedures to review requests of these persons to receive permanent residence.[171]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org

Civil society

Individual submissions:

ADF International	Alliance Defending Freedom International, Geneva (Switzerland)
EAJCW	European Association of Jehovah's Christian Witnesses, Kraainem (Belgium);
Forum 18	Forum 18 News Service, Oslo (Norway);
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom of Great Britain and Northern Ireland);
HRW	Human Rights Watch, New York (United States of America);
ICAAD	International Center for Advocates Against Discrimination, New York (United States of America);
IBAHRI	International Bar Association's Human Rights Institute, London (United Kingdom);
ISHR	International Service For Human Rights, (Geneva) Switzerland;
JC	Jubilee Campaign, Fairfax (United States of America);
L4L	Lawyers for Lawyers, Amsterdam, (The Netherlands);

Joint submissions:

JS1	Joint submission 1 submitted by: Article 19, English Pen and Pen International, London (United Kingdom of Great Britain and the Northern Ireland);
JS2	Joint submission 2 submitted by: Nota Bene, Dushanbe (Tajikistan) and International Partnership for Human Rights, Brussels (Belgium);
JS3	Joint submission 3 submitted by: Coalition against Torture in Tajikistan (12 NGOs and 5 independent experts (Tajikistan) and International Partnership for Human Rights (Belgium). The content of the submission is supported by Helsinki Foundation for Human Rights (Poland) and the Norwegian Helsinki Committee (Norway) and the World Organisation against Torture (Switzerland);
JS4	Joint submission 4 submitted by: Human Rights Matter (Germany), Office for Civil Freedoms (Tajikistan), Saint Petersburg Regional Human Rights Organisation 'Soldiers Mothers of Saint Peterburg' (Russian Federation), Human Rights Group 'Citizen. Army. Law' (Russian Federation);
JS5	Joint submission 5 submitted by: Public Association "Bureau on Human Rights and Rule of Law", Office of Civil Freedoms, Public Fund "Legal Initiative", Public Association "Rights and Prosperity", National Association of Independent Mass Media in Tajikistan, Public Association "Human Rights Centre" (Tajikistan), with the support of the International Federation for Human Rights (FIDH);
JS6	Joint submission 6 submitted by: Public Association "Bureau on Human Rights and Rule of Law", League of women with disabilities "Ishtirok", Independent Center of the Protection of Human Rights , Society of persons with disabilities "Imkoniyat", Coalition of public associations "From legal equality to actual equality", Public Fund "Your choice", Association of parents of children with disabilities, Public Fund "Public health and human rights", Public Association "Rights and Prosperity", Union of Consumers, Tajik Alliance of Family Planning, Public Association "Human Rights Center" (Tajikistan) with the support of FIDH
JS7/SRI	Joint submission 7 submitted by: the following partners of Sexual Rights Initiative- Action Canada for Sexual Health Rights (Canada), Egyptian Initiative for Personal Rights (Egypt), The Federation of

	Women for Family Planning (Poland), Coalition of African Lesbians (South Africa) and Akahatá (Argentina).
Regional intergovernmental organization:	
OSCE/ODIHR	Office for Democratic Institutions and Human Rights of the Organisation for Security and Co-operation in Europe, Warsaw, Poland Attachments: (OSCE/ODIHR: report 2015) Election Observation Mission Final Report, Parliamentary Elections on , 1 March 2015, Warsaw, 15 May, 2015; (OSCE/ODIHR: report 2013) Election Observation Mission Final Report, Presidential Elections 6 November, 2013, Warsaw, February, 2014.

[2] The following abbreviations are used in UPR documents:

ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities

[3] JS6, para. 64.
[4] JS3, p. 9.
[5] JS2, p. 5. See also JS5, para. 38.
[6] JS6, para. 109.
[7] JS5, para. 49.
[8] JS5, para. 10, p. 2.
[9] JS3, p. 10.
[10] JS3, pp. 2-3.
[11] JS6, para. 2.
[12] JS7/SRI, para. 5. For the full text of the recommendation see A/HRC/19/3, para. 88.9 (Poland).
[13] JS5, para. 7, p. 2.
[14] ISHR, p. 3.
[15] JS5, p.3, para. 11. See also JS6, para. 72 and JS7/SRI, para. 35.
[16] OSCE/ODIHR, p. 5.
[17] ICAAD, p. 1.
[18] JS6, para. 20.
[19] JS7/SRI, paras. 9 and 13.
[20] JS7/SRI, paras. 10-11. See also ISHR, p. 2.
[21] JS7/SRI, paras. 16, 17 and 18.
[22] JS7/SRI, paras. 40- 41.
[23] JS7/SRI, paras. 34 and 36.
[24] JS7/SRI, para. 45.
[25] JS2, p. 5.
[26] HRW, p. 4. See also JS3, p. 3, JS5, para. 39 and ISHR, p. 1. For the full text of the recommendation, see A/HRC/19/3, para. 88. 28 (United Kingdom of Great Britain and Northern Ireland).
[27] For the full texts of the recommendations, see A/HRC/19/3, paras. 88. 23 (Czech Republic and Australia) and 88.24 (Canada).
[28] JS3, pp. 2 and 7. See also JS5, para. 42.
[29] HRW, p. 5.
[30] JS4, p.1.
[31] JS3, p. 3.
[32] JS4, p. 5.
[33] JS5, paras. 40 and 41.
[34] HRW, p. 5.

[35] ISHR, p. 2. JS6, para. 7 and ICAAD, pp. 1-2.
[36] JS7/SRI, paras. 20-21. See also ICAAD, p. 3.
[37] JS6, para. 9.
[38] JS6, para. 8.
[39] JS7/SRI, para. 20.
[40] For the full text of the recommendations see A/HRC/19/3, paras. 89.3 (Brazil and Romania), 89.4 (Uruguay) and 90.28 (Slovenia).
[41] GIEACPC, paras. 1.1, 1.3 and 2.1-2.7.
[42] JS6, paras. 24 and 28.
[43] JS5, para. 14.
[44] ISHR, p. 3.
[45] For the full text of the recommendations see A/HRC/19/3, paras. 88.44 (Sweden) and 88.45 (Mexico).
[46] L4L, p. 5.
[47] JS4, p. 6.
[48] L4L, para. 12.
[49] JS5, para. 21.
[50] IBAHRI, para. 1.1.
[51] L4L, paras. 14, 17, 18 and 19.
[52] IBAHRI, paras. 1.7, 1.8 and 1.10.
[53] L4L, para. 9.
[54] JS3, p. 5. See also L4L, para. 12.
[55] L4L, para. 10. See also IBAHRI, p. 1.9.
[56] JS3, p. 9.
[57] L4L, para. 13.
[58] L4L, p. 5. See also IBAHRI, p. 4.
[59] IBAHRI, para. 2.1.
[60] For the full text of the recommendation, see A/HRC/19/3, para. 90. 30 (Czech Republic).
[61] JS3, p. 4.
[62] JS3, p. 6. See also JS5, para. 18.
[63] JS3, p. 9.
[64] JS5, para. 50.
[65] JS3, pp. 3-6. See also JS5, para. 50.
[66] JS3, p. 9. See also JS5, paras. 54 and 55.
[67] JS3, p. 3.
[68] For the full text of the recommendation, see A/HRC/19/3, paras. 88. 49 (Poland) and 88.24 (Canada).
[69] JS3, p. 7.
[70] HRW, p. 5.
[71] JS3, p. 9. See also JS5, para. 46.
[72] JS3, p. 9.
[73] JS3, p. 8.
[74] JS3, p. 10.
[75] JS5, paras. 42 and 43.
[76] JS3, p. 10. See also JS5, paras. 47 and 48.
[77] JS5, paras. 25, 26, 27 and 30.
[78] JS7/SRI, para. 44.
[79] JS7/SRI, paras. 23-24.
[80] JS6, paras. 21 and 22.
[81] HRW, p. 5. See also Forum 18, p. 1, JS2, p. 4, JC, para. 1 and ADF International, para. 4.
[82] JS2, p. 4.
[83] Forum 18, para. 8.
[84] JC, pp. 1-2.
[85] ICAAD, p. 4.
[86] ADF International, paras. 6, 7, 8 and 9.
[87] EAJCW, para. 24. For the full text of the recommendation, see A7HRC/19/3, para. 88.53 (Uruguay).
[88] JS2, p. 4. See also JC, para. 8, Forum 18, para. 22 and ADF International, para. 11.
[89] JC, para. 4. See also ADF International, para. 12.

[90] HRW, p. 5. See also Forum 18, paras. 9 -19, ICAAD, p. 4, para. (3), JC, para. 2, ADF International, paras. 15-22 and JC, para. 12.
[91] EAJCW, paras. 5 and 14.
[92] EAJCW, paras 5, 10, 12 and 14. See also ICAAD, p. 4, para. (3).
[93] JS2, p. 4.See also JC, para. 3.
[94] Forum 18, para. 12.
[95] HRW, p. 5. See also Forum 18, p. 1.
[96] Forum 18, para. 12.
[97] HRW, p. 5. See also Forum 18, paras. 6-7.
[98] JS2, p. 4 and Forum 18, para. 7.
[99] HRW, p. 5.
[100] JC, para. 9.
[101] ICAAD, p. 4.
[102] ADF International, para. 14.
[103] Forum 18, para. 20.
[104] ADF International, paras. 2 8 and 29.
[105] HRW, p. 5.
[106] JS2, p. 4.
[107] JC, p. 3; Summary of Recommendations.
[108] ICAAD, p. 4.
[109] ADF International, para. 31.
[110] JS4, p. 2.
[111] JS1, paras. 2, 3 and 4.
[112] HRW, p. 2. See also JS2, p. 1 and ISHR, p. 1.
[113] JS1, para. 6. See also paras. 3, 7 and 8.
[114] HRW, p. 2. See also JS2, p. 1, JS1, para. 9, JS5, para. 67, and ISHR, p. 1.
[115] JS1, para. 9 and HRW, p. 2.
[116] JS1, para. 17. See also para. 11 and JS2, p. 1 and JS5, para. 68.
[117] JS1, paras. 12, 15 and 16.
[118] JS1, para. 19.
[119] JS2, p. 1. See also HRW, p. 3, JS1, para. 22 and JS5, para. 70.
[120] JS5, para. 71.
[121] HRW, p. 3.
[122] JS1, para. 21. See also ISHR, p. 1.
[123] JS1, para. 20. See also JS2, pp. 1-2, JS5, para. 72 and ISHR, p. 1.
[124] HRW, p. 3. See also JS5, paras. 75, 76 and 78 and JS1, p. 7.
[125] JS2, para. 2.
[126] JS1, para. 35 (II). See also HRW, p. 3, ISHR, p. 3, JS2, p. 2. and JS5, para. 74.
[127] JS1, para. 35 (III). See also JS5, para. 77.
[128] JS1, para. 35 (VII).
[129] JS1, para 35 (I).
[130] JS2, para. 2.
[131] JS2, p. 2.
[132] JS3, p. 8.
[133] ISHR, p. 1.
[134] JS2, pp. 2-3. See also ISHR, p. 1; JS3, p. 8; JS5, para. 87 and HRW, p. 3.
[135] JS5, para. 86.
[136] JS2, p. 2. See also ISHR, p. 2, HRW, p. 3 and JS3, p. 8.
[137] ISHR, p. 2. See also JS2, p. 4 and JS5, paras. 90 and 92.
[138] HRW, p. 4. See also JS3, p. 10.
[139] For the full text of the recommendation, see A/HRC/19/3, para. .
[140] JS1, paras. 29-34. See also JS2, p. 3, JS5, para. 93 and ISHR, p.2.
[141] JS5, para. 94. See also JS1, para. 35 (VIII) and JS2, p. 3.
[142] HRW, p. 1. See also JS2, p. 3.
[143] ISHR, p. 2. See Forum 18.
[144] OSCE/ODIHR, p. 4.

[145] HRW, p. 2.
[146] OSCE/ODIHR, p. 4. See also JS2, p. 3 and Forum 18, para. 3.
[147] JS2, p. 4.
[148] ISHR, p. 2. See also HRW, p. 2.
[149] OSCE/ODIHR, p. 4.
[150] OSCE/ODIHR, p. 1. OSCE/ODIHR: report of 2015, Executive Summary.
[151] OSCE/ODIHR, p. 3. OSCE/ODIHR: report of 2013, Executive Summary.
[152] OSCE/ODIHR: report of 2013, pp. 3 and 23-26 and OSCE/ODIHR:report of 2015, pp. 25-29.
[153] JS6, para. 33.
[154] JS6, paras. 34-35. See also para. 29.
[155] HRW, p. 4.
[156] JS6, paras. 39 and 44.
[157] JS7/SRI, para. 6.
[158] JS7/SRI, paras. 29-30.
[159] JS7/SRI, para. 28.
[160] JS6, paras. 40-41.
[161] JS6, paras. 50, 51, 53 and 54.
[162] JS6, para. 67.
[163] JS6, paras. 61-62.
[164] JS6, paras. 63 and 58.
[165] JS6, para. 59.
[166] OSCE/ODIHR:report of 2015, p. 19.
[167] JS6, paras. 56-57.
[168] JS6, para. 81.
[169] JS6, para. 95 and 97.
[170] JS6, para. 94.
[171] JS6, para. 106.